IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 4TH JUNE 2007 / 14TH JYAISHTA 1929

WP(C).No. 13885 of 2007(C)

PETITIONER:

MOHAMMED SAJITH P., AGED 48 YEARS,
S/O. UMMERKUTTY, "GRACE", KOTTAKKAL P.O.,
IRINGAL, KOZHIKODE-673 521.

BY ADV. SRI.MANJERI SUNDERRAJ
SRI.B.PREMNATH (E)

RESPONDENTS:
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1. **STATE OF KERALA, REP. BY**
   SECRETARY TO HOME DEPARTMENT, GOVT. OF KERALA,
   TRIVANDRUM.

2. **THE DIRECTOR GENERAL OF PROSECUTION,**
   HIGH COURT OF KERALA, DGP'S OFFICE,
   HIGH COURT COMPLEX, ERNAKULAM.

3. **THE DISTRICT COLLECTOR,**
   KOZHIKODE DISTRICT, KOZHIKODE-673 020.

4. **THE DEPUTY DIRECTOR OF PROSECUTION,**
   DDP'S OFFICE, CALICUT COURT COMPLEX,
   KOZHIKODE-673 032.

BY GOVERNMENT PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR,J.

WP(C)NO.13885 OF 2007-C

Judgment

The petitioner is working as Assistant Public Prosecutor Grade-II, attached to the Judicial First Class Magistrate Court, Payyoli with additional charge of the Judicial First Class Magistrate Court I, Kozhikode also. He is a provisional hand, appointed under Rule 9(a)(i) of the KS & SSR. This Writ Petition is filed by him, praying for a direction to retain him as temporary Assistant Public Prosecutor Grade-II in the Judicial First Class Magistrate Court, Kozhikode or in any other Court, where there is a vacancy. The learned Government Pleader upon instruction, submitted that three is already a rank list published by the State Government for appointment to the above post and that appoints are being made from that list. Further, a direct recruit has already been appointed to the vacancy at Kozhikode, it is submitted. In view of the said submissions, no relief can be granted to the petitioner. Accordingly, the Writ Petition is dismissed.

04.06.2007 **K.BALAKRISHNAN NAIR,JUDGE**

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